IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

WA.No. 2630 of 2000()

AGAINST THE JUDGEMENT IN OP.8891/2000 Dated 07/08/2000
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APPELLANTS/RESPONDENTS
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1. CHAIRMAN, COCHIN PORT TRUST,
   WILLINGDON ISLAND, KOCHI-682 009.

2. THE FINANCE ADVISER & CHIEF ACCOUNTS OFFICER,
   COCHIN PORT TRUST, KOCHI-682 009.

3. THE CHIEF ENGINEER, COCHIN PORT TRUST,
   WILLINGDON ISLAND, KOCHI-682 009.

BY ADV. SRI.B.S.KRISHNAN (SR.)
SRI.K.ANAND (A.201)

RESPONDENTS/PETITIONER & 4TH RESPONDENT
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1. ZAKIR HUSSAIN, AGED 35 YEARS, S/O.K.MOHAMMED ALI,
   LICENSEE OF MILMA BUNK NO.T20, NEAR ERNAKULAM
   WHARF , W.ISLAND, KOCHI-682 009 (RESIDING AT
   H.NO.32/482, GODOWN ROAD,
   EDAPPALLY TOLL, KOCHI-24.

2. THE CHAIRMAN, TARIFF AUTHORITY OF MAJOR PORTS
   (TAMP) 2ND FLOOR, GATE NO.30, JAWAHARLAL NEHRU
   STADIUM, NEW DELHI-110 003.

BY ADV. SRI.TPM.IBRAHIM KHAN
SMT.R.MEERA DEVI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 01/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K. BALI, C.J. & S.SIRI JAGAN, J.

W.A.No.2630 of 2000

Dated, this the 1st day of December, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

Counsel for the appellants states that after the decision subject matter of challenge in the writ appeal, the rent has been settled and there are no existing issues between the parties. He prays that the appeal may be dismissed as not pressed, but the finding regarding determination for charging bunk rent may not be treated as a precedent.

2. We have heard learned counsel for the parties and gone through the impugned judgment. In the facts and circumstances of the case the request of the counsel for the appellants appears to be genuine. This writ appeal would be thus dismissed as not pressed by observing that the judgment under appeal shall not be cited as a precedent. C.M.P. No.6746 of 2000 does not survive.

V.K. BALI,
CHIEF JUSTICE.

S.SIRI JAGAN,
JUDGE.

vns